IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 7891 of 2007(M)

PETITIONER:

ASHA AGIRAJ, W/O.AGIRAJ,
CHAITHANYA, ERUVAMURIYIL, PATHIYOOR VILLAGE.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENTS:
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1. THE CIRCLE INSPECTOR OF POLICE,
KAYAMKULAM.

2. THE SUB INSPECTOR OF POLICE,
KAYAMKULAM.

3. HARIDAS, S/O.NARAYANAN,
KOLLASSERY HOUSE, PAPPADY, PATHIYOOR
KIZHAKKUMMURI, PATHIYOOR VILLAGE.

4. DINESH KUMAR, S/O.HARIDAS,
KOLLASSERY HOUSE, PAPPADY, PATHIYOOR
KIZHAKKUMMURI, PATHIYOOR VILLAGE.

BY ADV. SRI.R.RAJASEKHARAN PILLAI FOR R3 AND R4
SRI.M.S.NISHAD
GOVERNMENT PLEADER SRI. BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE SALE DEED DATED 23.8.2004.

EXT.P2: COPY OF THE ORDER DATED 2.9.2005.

EXT.P3: COPY OF THE COMPLAINT FILED BEFORE THE CIRCLE INSPECTOR OF POLICE DATED 01.3.2007.

EXT.P4: COPY OF THE COMPLAINT FILED BEFORE THE SUB INSPECTOR OF POLICE DATED 01.3.2007.

RESPONDENT'S EXHIBITS:

EXT.R3(a): COPY OF THE LAWYER'S NOTICE DATED 16.10.2004 ISSUED TO THE RESPONDENT BY THE PETITIONER.

EXT.R3(b): COPY OF THE REPLY DATED 2.11.2004 TO EXT.R3(a).

EXT.R3(c): COPY OF THE INJUNCTION ORDER DATED 9.9.2005 IN I.A.NO.2110/2005 IN O.S.NO.436/2005 OF THE KAYAMKULAM MUNSIFF COURT.

EXT.R3(d): COPY OF THE PLAINT IN O.S.NO.436/2005 OF KAYAMKULAM MUNSIFF COURT.

EXT.R3(e): COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER IN S.R.NO.10/2006 DATED 18.4.2006.

EXT.R3(f): COPY OF THE PETITION DATED 26.2.2007 FILED BY THE RESPONDENT BEFORE THE KAYAMKULAM POLICE.

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BKN // TRUE COPY//

P.A. TO JUDGE.

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO. 7891 OF 2007

Dated this the 3rd day of April, 2007.

JUDGMENT

Koshy, J.

This is a petition for police protection. According to the petitioner 3rd respondent is a tenant in shop room No. 61 of the petitioner's husband and 4th respondent is the son of the 3rd respondent. They are doing unlawful activities and she got an interim order of injunction by filing O.S.429/2005. According to respondent 3 and 4, they have taken the premises on rent and with consent of the previous land owner a shed was also constructed. They have filed a suit and got an interim order in O.S.436/2005. In a petition filed under Article 226 of Constitution of India, we are not expressing any opinion regarding the merits of the both suits. The only relief we can grant is direction to the police to see that applicable civil court orders are not violated and law and order is maintained. We dispose of this Writ Petition with the above directions.

J.B.KOSHY, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

bkn